



Magistrates' Court of Victoria

Practice Direction

No. 10 of 2015

(As amended on 8 August 2021)¹

**INTERVENTION ORDERS –
MENTION AND DIRECTION HEARINGS CHECKLIST**

FVIO and PSIO Intervention order Mention and Directions Hearings Checklists

1. This practice direction applies to intervention order applications under the *Family Violence Protection Act 2008 (FVIO)*, or the *Personal Safety Intervention Orders Act 2010 (PSIO)*.
2. Unless the Magistrate orders otherwise, the relevant *FVIO* or *PSIO* checklist must be completed and filed with the Court no later than one day before the proceeding is listed for a contested hearing.

A handwritten signature in black ink, appearing to read 'Lisa Hannan', with a long horizontal flourish extending to the right.

**JUDGE LISA HANNAN
CHIEF MAGISTRATE**

Date: 8 August 2021

¹ This practice direction replaces Practice Direction No. 10 of 2015 published on 2 November 2015 and commenced 9 August 2021.

FAMILY VIOLENCE INTERVENTION ORDER MENTION & DIRECTIONS HEARING CHECKLIST

FOR USE IN APPLICATIONS MADE UNDER THE *FAMILY VIOLENCE PROTECTION ACT 2008*



For completion by legal representatives, police representative or the judiciary

In the Magistrates' Court at	Case No
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Applicant	_____
Applicant's lawyer or police representative	_____
Duty lawyer provided:	<input type="checkbox"/> Legal advice/ representation <input type="checkbox"/> Procedural advice <input type="checkbox"/> N/A

Affected Family Member	_____
Affected Family Member's lawyer	_____
Duty lawyer provided:	<input type="checkbox"/> Legal advice/ representation <input type="checkbox"/> Procedural advice <input type="checkbox"/> N/A

Respondent	_____
Respondent's lawyer	_____
Duty lawyer provided:	<input type="checkbox"/> Legal advice/ representation <input type="checkbox"/> Procedural advice <input type="checkbox"/> N/A

Application adjourned from: Mention to Mention Mention to Directions Hearing Directions Hearing to Contest

Unsuitable dates:

Issues in dispute	
<input type="checkbox"/>	Factual argument
<input type="checkbox"/>	Conditions of the order
<input type="checkbox"/>	Inclusion of children on the order
<input type="checkbox"/>	Effect of the order on firearms licence

Hearing requirements	
Duration:	_____
Interpreter for:	<input type="checkbox"/> AFM Language: _____
	<input type="checkbox"/> Respondent Language: _____
Remote witness facility required:	<input type="checkbox"/> Yes <input type="checkbox"/> No

Witnesses proposed to be called at next hearing	
Number of witnesses to be called by:	Applicant: _____ Respondent: _____
<input type="checkbox"/> Children present at incident (Note prohibition s.67 FVPA)	Ages: _____
Names of witnesses:	_____

Other proceedings	
Other relevant proceedings:	<input type="checkbox"/> Criminal <input type="checkbox"/> Child Protection <input type="checkbox"/> Family Law <input type="checkbox"/> Other:
Provide particulars (including next date):	

Procedural orders sought	
<input type="checkbox"/>	Summary of allegations (x3) to be filed by:
<input type="checkbox"/>	Respondent's reply to summary of allegations (x3) to be filed by:
<input type="checkbox"/>	Applicant witness summaries/ statements/ copy exhibits (x3) to be filed by:
<input type="checkbox"/>	Respondent witness summaries/ statements/ copy exhibits (x3) to be filed by:

Section 71/ 72 FVPA (orders usually only made at Directions Hearing)	
<input type="checkbox"/>	s71.4 Warning to respondent that if refuses legal representation, cannot cross-examine etc.
<input type="checkbox"/>	s71 Order for VLA to offer respondent legal representation for cross-examination of protected witness
<input type="checkbox"/>	s72 Order for VLA to offer protected witness legal representation for cross-examination by respondent's legal representative

Notes	
Other relevant issues including reason for adjournment:	

Signed by or on behalf of the parties:	
Applicant, lawyer or police representative	_____ Date _____
Affected Family Member or lawyer	_____ Date _____
Respondent or lawyer	_____ Date _____

PERSONAL SAFETY INTERVENTION ORDER MENTION & DIRECTIONS HEARING CHECKLIST

FOR USE IN APPLICATIONS MADE UNDER THE *PERSONAL SAFETY INTERVENTION ORDERS ACT 2010*



For completion by legal representatives, police representative or the judiciary

In the Magistrates' Court at _____ Case No _____

Applicant _____
Applicant's lawyer or police representative _____
Affected Person _____
Affected Person's lawyer _____
Respondent _____
Respondent's lawyer _____

Application adjourned from: Mention to Mention Mention to Directions Hearing Directions Hearing to Contest
Unsuitable dates: _____

Issues in dispute

Factual argument
 Conditions of the order
 Effect of the order on firearms licence

Hearing requirements

Duration: _____
Interpreter for: Affected Person Language: _____
 Respondent Language: _____
Remote witness facility required: Yes No

Witnesses proposed to be called at next hearing

Number of witnesses to be called by: _____ Applicant: _____ Respondent: _____
Names of witnesses: _____

Other proceedings

Other relevant proceedings: Criminal Civil VCAT Other:
Provide particulars (including next date): _____

Mediation

Have parties been assessed by a Dispute Settlement Assessment Officer for mediation? Yes No
Was the matter suitable for mediation? Yes No
Was mediation held? Yes No
If yes, what was the result? _____

Procedural orders sought

Summary of allegations (x3) to be filed by:
 Respondent's reply to summary of allegations (x3) to be filed by:
 Applicant witness summaries/ statements/ copy exhibits (x3) to be filed by:
 Respondent witness summaries/ statements/ copy exhibits (x3) to be filed by:

Notes

Other relevant issues including reason for adjournment: _____

Signed by or on behalf of the parties:

Applicant, lawyer or police representative _____ Date _____
Affected Person or lawyer _____ Date _____
Respondent or lawyer _____ Date _____